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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SFR INVESTMENTS POOL 1, LLC,

Plaintiff,

vs.

NEWREZ LLC f/k/a NEW PENN FINANCIAL,
LLC d/b/a SHELLPOINT MORTGAGE
SERVICING; DOES I through X; and ROE
BUSINESS ENTITIES I through X, inclusive,

Defendants.

Case No.: 2:22-cv-00567-JAD-EJY

**STIPULATION AND ORDER TO EXTEND
DISCOVERY**

(THIRD REQUEST)

NEWREZ LLC f/k/a NEW PENN FINANCIAL,
LLC d/b/a SHELLPOINT MORTGAGE
SERVICING,

Counterclaimant,

vs.

SFR INVESTMENTS POOL 1, LLC; DOES I
through X, inclusive; and ROE
CORPORATIONS I through X, inclusive,

Counterdefendants.

Plaintiff SFR Investments Pool 1, LLC, and defendant, NewRez LLC f/k/a New Penn Financial, LLC d/b/a Shellpoint Mortgage Servicing, file this stipulation to request the court to extend the close of discovery by ninety (90) days for the purpose of completing the 30(b)(6) deposition of SFR and deposition of Chris Hardin, as well as resolving any related motion practice. This is the parties' third request for an extension of the current discovery deadlines.

I. INTRODUCTION.

SFR's complaint is based on NRS 107.200 and NRS 40.010. SFR claims Shellpoint violated NRS 107.200 and SFR discharged the debt and deed of trust recorded against the property.

II. STATEMENT SPECIFYING THE DISCOVERY COMPLETED.

On August 1, 2022, the court entered a stipulated discovery plan and scheduling order [ECF No. 24]. On November 23, 2022, the court entered an order extending the discovery deadlines [ECF No. 32]. On January 11, 2023, the court entered an order further extending the discovery deadlines. [ECF No. 35] and set the following deadlines:

- (a) Discovery cut off: May 1, 2023
- (b) Last date to make initial expert disclosures: No extension
- (c) Last date to make rebuttal expert disclosures: No extension
- (d) Last date to file dispositive motions: May 31, 2023
- (e) Pre-Trial Order: June 30, 2023

The following discovery has been completed:

1. Shellpoint served its initial disclosures on May 18, 2022.
2. SFR served its initial disclosures on November 29, 2022.
3. SFR served its initial expert disclosure on December 12, 2022.
4. SFR served a notice of deposition of Shellpoint on December 30, 2022, setting the deposition for February 7, 2023. The deposition was continued and completed on March 23, 2023.
5. Shellpoint served its rebuttal expert disclosure on January 11, 2023.
6. Shellpoint served its first requests for admission, production, and interrogatories on January 11, 2023.

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7. Shellpoint served its subpoena duces tecum for documents from SFR's expert Stan V. Smith on January 11, 2023. Shellpoint also subpoenaed the deposition of Stan V. Smith, which took place on March 10, 2023.

8. SFR served its responses to Shellpoint's first requests for admission, production, and interrogatories on February 15, 2023.

9. Shellpoint served its first supplement to initial disclosures on March 7, 2023.

10. Shellpoint served its second supplement to initial disclosures on March 22, 2023.

11. Shellpoint served its first amended notice of rule 30(b)(6) deposition of SFR on April 5, 2023. Shellpoint also subpoenaed the deposition of Chris Hardin. Both depositions were set to take place on April 26, 2023.

III. SPECIFIC DESCRIPTION OF THE DISCOVERY THAT HAS NOT BEEN COMPLETED.

(a). Shellpoint's 30(b)(6) deposition of SFR and deposition of Chris Hardin.

IV. REASON WHY EXTENSION IS REQUIRED / GOOD CAUSE.

The parties attended Shellpoint's 30(b)(6) deposition of SFR and individual deposition of Chris Hardin on April 26, 2023. While at the deposition, SFR raised various objections as to the scope of questions and directed the deponent not to respond. Shellpoint maintained, *inter alia*, this was an improper instruction under FRCP 30(c)(2). SFR moved to terminate the deposition under FRCP 30(d)(3). Based on SFR's motion, the parties suspended the deposition so that the parties could obtain an order on these issues. The parties therefore submit good cause exists for a ninety (90) day extension to the discovery deadline for the limited purpose of allowing the parties to confer on these issues and obtain resolution from the court through motion practice if necessary. The extension is also necessary to allow sufficient time for the parties to reschedule the depositions at a mutually agreeable time once the above dispute is resolved.

VI. ~~PROPOSED~~ NEW SCHEDULE FOR COMPLETING ALL REMAINING DISCOVERY.

The parties agree that discovery will be extended for the limited purpose detailed above and the scheduling order deadlines will be extended to the following:

(a) Discovery Cut Off: **July 31, 2023**

(b) Initial Expert Disclosures: **None Requested**

(c) Rebuttal Expert Disclosures: **None Requested**

(d) Dispositive motions: **August 30, 2023**

(e) Pre-Trial Order: **September 29, 2023¹**

DATED this 1st of May, 2023.

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IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE

Case No.: 2:22-cv-00567-JAD-EJY

DATED: May 1, 2023

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¹ This deadline will be suspended if dispositive motions are timely filed until thirty (30) days after the decision of the dispositive motions or until further order of the court. The disclosure required FRCP Rule 26(a)(3) and objections thereto, shall be made in the pre-trial order.